

Plaintiff's Counsel:
Jayne Conroy
Hanly Conroy Bierstein Sheridan
Fisher & Hayes LLP
112 Madison Avenue
New York New York 10016-7416
(212) 784-6400
(212) 284-6420 (fax)

-and-

SimmonsCooper LLC
707 Berkshire Blvd.
East Alton, IL 62024
(618) 259-2222
(212) 259-2251 (Fax)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES,
AND PRODUCT LIABILITY
LITIGATION

Case No. M:05-CV-01699-CRB

MDL NO. 1699

**STIPULATION AND ORDER OF DISMISSAL
WITH PREJUDICE**

This Document Relates To:

*Ballard and Faye Rutherford, et. al., vs.
Pfizer, Inc.,
MDL No. 06-5203: Plaintiff Ballard
Rutherford and Faye Rutherford*

Come now the Plaintiffs, Ballard Rutherford and Faye Rutherford, and Defendant, Pfizer Inc., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule

1 41(a), and hereby stipulate to the dismissal with prejudice of Plaintiffs, **Ballard Rutherford and**
2 **Faye Rutherford's** action only, with each side bearing its own attorneys' fees and costs.
3
4
5
6

Dated: _____, 2009

By: 

Jayne Conroy

HANLY CONROY BIERSTEIN
SHERIDAN FISHER & HAYES LLP
112 Madison Avenue
New York, New York 10016-7416
(212) 784-6400
(212) 784-6420 (Fax)
Email: jconroy@hanlyconroy.com

11 -and-

12 **SIMMONSCOOPER LLC**
13 707 Berkshire Blvd.
14 East Alton, IL 62024
(618) 259-2222
(618) 259-2251 (Fax)

15 *Counsel for Plaintiff.*

16 Dated: March 11, 2009

17 By: 
18 Michelle W. Sadowsky
DLA PIPER US LLP
19 1251 Avenue of the Americas
20 New York, New York 10020-1104
(212) 335-4625
(212) 884-8675 (Fax)

22 *Counsel for Defendant Pfizer, Inc.*

23 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**
24 **IT IS SO ORDERED.**

25 Dated: March 30, 2009

26 By: 
27 United States District Court